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AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

United States of America

v.

Kevin Colby Nicholas, a/k/a C-Wood, and  
Nicole Elizabeth Hill,

Case No. M-22- 81 -SM

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 2021 to January 14, 2022, in the county of Oklahoma in the  
Western District of Oklahoma, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 846

Conspiracy to possess with the intent to distribute and to distribute  
500 grams or more of a mixture or substance containing  
methamphetamine, a Schedule II controlled substance

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent, D. Hunter Marsh, Federal Bureau of Investigation, (FBI),  
which is incorporated and made a part hereof by reference.☒ Continued on the attached sheet.*Complainant's signature*

Special Agent, D. Hunter Marsh (FBI)

*Printed name and title*

Sworn to before me and signed in my presence.

Date: February 8, 2022City and state: Oklahoma City, Oklahoma*Judge's signature*

Suzanne Mitchell, U.S. MAGISTRATE JUDGE

*Printed name and title*

**WESTERN DISTRICT OF OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA**

**STATE OF OKLAHOMA        )**  
**)**  
**COUNTY OF OKLAHOMA    )**

**A F F I D A V I T**

I, Daniel Hunter Marsh, being first duly sworn, hereby depose and state as follows:

1.     I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI). As a SA, I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and empowered by law to conduct investigations of, and to make arrests for offenses as set forth in 18 U.S.C. § 2516.

2.     I have been employed as a Special Agent with the FBI since February 2009. I am currently assigned to the Oklahoma City Division, Stillwater Resident Agency and I have been involved in a wide variety of investigative matters, including investigations targeting large criminal enterprises, many of which involved the unlawful distribution of narcotics in violation of 21 U.S.C. §§ 841(a)(1) and 846. During the course of these investigations, I have participated in several Title III investigations, coordinated the execution of search and arrest warrants, conducted physical surveillance, coordinated controlled purchases with confidential sources, analyzed records documenting the purchase and sale of illegal drugs, and spoken with informants and subjects, as well as other local and federal law enforcement officers, regarding the manner in which drug distributors obtain, finance, store, manufacture, transport, and distribute their illegal drugs.

Through my training and experience, I have become familiar with some of the manners in which illegal drugs are imported, distributed, and sold, as well as the methods used by drug dealers to disguise the source and nature of their profits.

3. This affidavit is submitted in support of a criminal complaint charging Kevin Colby **NICHOLAS**, aka “C-Wood,” (DOB: XX/XX/1987) and Nicole Elizabeth **HILL** (DOB: XX/XX/1980) with a violation of Title 21, United States Code, Section 846. I am familiar with the facts and circumstances of the investigation into **NICHOLAS** and **HILL** as a result of my personal participation in the investigation, review of documents related to this investigation, communications with other individuals who have personal knowledge of the events and circumstances described herein, and information gained through training and experience. Since this Affidavit is being submitted for the limited purpose of seeking a complaint, I have not included every fact known to me concerning this investigation.

4. Based on the following facts, I believe that probable cause exists to show that **NICHOLAS** and **HILL** conspired with each other, and with other individuals, to possess with intent to distribute and to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846.

#### **FACTS AND CIRCUMSTANCES**

5. In October 2021, FBI identified a potential residence that was maintained for the purpose of distributing narcotics. FBI identified the residence as 513 Beil Terrace, Oklahoma City, Oklahoma (the “Beil Residence”). In discussions with Oklahoma City

Police Department (OCPD), it was determined that the Beil Residence had been identified in prior drug investigations by the OCPD over the last eighteen months. Law enforcement identified **HILL** as the owner and primary resident of the Beil Residence. Based on this information FBI agents initiated a prolonged surveillance of the Beil Residence in coordination with the DEA and Oklahoma City Police Department.

6. Over the course of the next couple of months law enforcement observed a number of known methamphetamine users and suppliers visiting the Beil Residence, including individuals with historical or current drug trafficking charges and convictions. These individuals were observed at all hours of the day and several days per week. Law enforcement would observe individuals arrive at the residence and stay for only five to fifteen minutes before leaving. On daily, and sometimes hourly, basis, a vehicle would arrive at the residence with only the passenger exiting the vehicle while the driver stayed in the car. After a brief visit, the passenger would return to the vehicle. In my training and experience, these observations are consistent with distribution of controlled substances from a residence.

7. Based on the surveillance, law enforcement determined that **NICHOLAS** was living at the Beil Residence because of his daily activities and physical presence at the property. Law enforcement observed a number of individuals waiting outside the Beil Residence for **NICHOLAS** to open the front door. Law enforcement also observed a 2001 white Chevy Blazer with Oklahoma license plate JQU-092. This vehicle is registered to both **NICHOLAS** and **HILL** with a registration address of the Beil Residence, effective October 6, 2021.

8. On the morning of December 16, 2021, **NICHOLAS** and Michael Young were arrested incident to a felony traffic stop by the Oklahoma Highway Patrol (OHP). Subsequent to the traffic stop and a search of the vehicle, OHP Troopers discovered more than 100 grams of a crystal substance presumptively positive for methamphetamine, 70 pills field tested as fentanyl, 70 grams of white powder field tested as cocaine, other controlled substances, and a stolen firearm. Both **NICHOLAS** and Young were arrested and charged with drug trafficking of methamphetamine and fentanyl, among other charges.

9. On December 17, 2021, law enforcement observed **HILL** meet with Joshua Arnett, who is suspected of drug distribution by Payne County law enforcement. **HILL** and two other females were observed loading multiple tote containers, bags, and gift-wrapped items into Arnett's vehicle. Law enforcement conducted surveillance on Arnett, but lost sight of him on two separate occasions—once near a storage unit and a second time near an industrial complex. When law enforcement eventually conducted a traffic stop, none of the packages that were seen being loaded into the vehicle were present. Based on my training and experience, drug traffickers will often empty a stash location if someone associated with that location is arrested. This is a regular precaution in case law enforcement attempts to execute a search warrant following the arrest. Based on this training and experience, I believe that **HILL** emptied the Beil Residence of illegal substances following **NICHOLAS**'s arrest.

10. On January 14, 2022, OCPD executed a search warrant at the Beil Residence. At the time of the search, both **NICHOLAS** and **HILL** were present at the

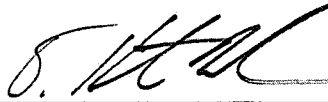
Beil Residence. The only other occupant of the Beil Residence at the time of the search was **HILL**'s minor child. Both **NICHOLAS** and **HILL** were detained pending the search of the residence. When informed that law enforcement would search the residence, **HILL** volunteered that there was methamphetamine by the bathroom counter in the master bedroom.

11. In the course of their search, law enforcement discovered methamphetamine in the master bathroom, consistent with **HILL**'s statement. Law enforcement found a pistol in the master bedroom closet behind some clothes and a rifle wrapped in a leather jacket buried in concrete dust in a hole under a bedroom dresser in the master bedroom. **NICHOLAS** and **HILL** appeared to share the master bedroom, as most of their personal belongings, including clothing, wallets, phones, and toiletries were in the master bedroom and bathroom. Law enforcement also located marijuana in the kitchen and laundry areas and scales and baggies throughout the house.

12. As a result of the search, OCPD discovered more than four pounds (approximately 1.67 kilograms) of crystal methamphetamine, more than twenty-five pounds of marijuana, two firearms, a money counter, several scales, \$42,000, and other indications of distribution of controlled substances. Additionally, law enforcement found surveillance equipment at the Beil Residence and seized five cell phones.

**CONCLUSION**

13. Based on the facts set forth in this affidavit and my training and experience, I believe there is probable cause to believe that **NICHOLAS** and **HILL** conspired with each other and with other individuals to possess with intent to distribute and to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code Section 846.



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D. Hunter Marsh  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this 8th day of February 2022.



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SUZANNE MITCHELL  
United States Magistrate Judge